

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

~~[Consent/Proposed]~~  
Order of Restitution



v.

JOSE ARROYO-RIVERA,  
Defendant.

21 Cr. 52 (LTS)

Upon the application of the United States of America, by its attorney, Damian Williams, United States Attorney for the Southern District of New York, Sarah L. Kushner, Assistant United States Attorney, of counsel; the presentence report; the Defendant's conviction on Count One of the above Indictment; and all other proceedings in this case, and upon the consent of Jose Arroyo-Rivera, the Defendant, by and through his counsel, David M. Stern, Esq., it is hereby ORDERED that:

**1. Restitution**

Jose Arroyo-Rivera, the Defendant, shall pay restitution in the total amount of \$3,370, pursuant to 18 U.S.C. § 3663; 18 U.S.C. § 3663A (MVRA), to the victims of the offense charged in Count One of the Indictment and to the victims of crimes that fall within the relevant offense conduct in this case. The name, address, and specific amount owed to the victim are set forth in the Schedule of Victims, attached hereto as Schedule A. Upon advice by the United States Attorney's Office of a change of address of the victim, the Clerk of the Court is authorized to send payments to the new address without further order of this Court. The Defendant shall be jointly and severally liable for the restitution amount with co-defendants Judah Sinclair and Selassie Sinclair.

**2. Schedule of Payments**

While serving the term of imprisonment, the Defendant shall make installment payments toward his restitution obligation; he shall continue to make such payments after his release. While the Defendant is serving his term of imprisonment, the Bureau of Prisons' (BOP) staff shall monitor the Defendant's progress in meeting his restitution obligation.

**3. Payment Instructions**

Restitution payments shall be made payable to the "Clerk of Court – SDNY" and delivered to: United States Courthouse, 500 Pearl Street, New York, New York 10007 - Attention: Cashier, as required by 18 U.S.C. § 3611. The Defendant's name and the docket number of this case shall be written on each check or money order. To make payments electronically, the Defendant shall contact the Clerk's Office for wiring instructions or refer to the Court's instructions for payment through pay.gov. Any cash payments shall be hand delivered to the Clerk's Office using exact change, and shall not be mailed.

**4. Additional Provisions**

The Defendant shall notify, within 30 days, the Clerk of Court, the United States Probation Office (during any period of probation or supervised release), and the United States Attorney's Office, 86 Chambers Street, 3rd Floor, New York, New York 10007 (Attn: Financial Litigation Unit) of (1) any change of the Defendant's name, residence, or mailing address or (2) any material change in the Defendant's financial resources that affects the Defendant's ability to pay restitution in accordance with 18 U.S.C. § 3664(k). If the Defendant discloses, or the Government otherwise learns of, additional assets not known to the Government at the time of the execution of this order, the Government may seek a Court order modifying the payment schedule consistent with the discovery of new or additional assets.

**5. Restitution Liability**


The Defendant's liability to pay restitution shall terminate on the date that is the later of 20 years from the entry of judgment or 20 years after the Defendant's release from imprisonment, as provided in 18 U.S.C. § 3613(b). Subject to the time limitations in the preceding sentence, in the event of the death of the Defendant, the Defendant's estate will be held responsible for any unpaid balance of the restitution amount, and any lien filed pursuant to 18 U.S.C. § 3613(c) shall continue until the estate receives a written release of that liability.

6. **Sealing**

Consistent with 18 U.S.C. §§3771(a)(8) & 3664(d)(4) and Federal Rule of Criminal Procedure 49.1, to protect the privacy interests of the victim, the Schedule of Victims, attached hereto as Schedule A, shall be filed under seal, except that copies may be retained and used or disclosed by the Government, the Clerk's Office, and the Probation Department, as need be to effect and enforce this Order, without further order of this Court.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS  
United States Attorney for the  
District of New York

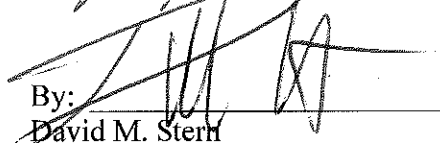
By:   
\_\_\_\_\_  
Sarah L. Kushner  
One Saint Andrew's Plaza  
New York, N.Y. 10007  
Tel.: (212) 637-2676

6/22/2022  
DATE

JOSE ARROYO-RIVERA

By:   
\_\_\_\_\_  
JOSE ARROYO-RIVERA

8/2/2022  
DATE

By:   
\_\_\_\_\_  
David M. Stern

8/2/22  
DATE

Rothman, Schneider, Soloway & Stern, LLP  
100 Lafayette Street, Suite 501  
New York, NY 10013  
[dstern@rsslslaw.com](mailto:dstern@rsslslaw.com)

SO ORDERED:

  
\_\_\_\_\_  
HONORABLE LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE

8/2/22  
DATE

**Schedule A**  
Schedule of Victims

<b>Name</b>	<b>Address</b>	<b>Amount of Restitution</b>
Grocery Store/ Bodega, owned by Ahlam Ahmed Al- Farah (DOB: 02/02/1969)	93 Featherbed Lane, Bronx, New York 10452	\$700.00
T&B Deli and Grocery Corp, owned by Taham Nahshal (DOB: 03/07/1959)	1735 East 174 <sup>th</sup> Street, Bronx, New York 10473	\$1,070.00
Ko Wang Restaurant, owned by Xian Yang Yue (DOB: 08/01/1962)	935 Castle Hill Avenue, Bronx, New York 10473	\$1,600.00